

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

ORIX FINANCIAL SERVICES, INC.,)	
)	
Plaintiff,)	
)	2:09-CV-88
v.)	<i>Lee</i>
)	
MARY E. ARMS and)	
CHARLES E. ARMS,)	
)	
Defendants.)	

JUDGMENT ORDER

This action came on for trial before the Court, the Honorable Susan K. Lee, United States Magistrate Judge, presiding and the issues having been tried and a decision having been rendered as set forth in the accompanying Memorandum, judgment is **ENTERED** in favor of Plaintiff ORIX Financial Services, Inc. Specifically, the Court **FOUND** and **CONCLUDED** that the purported transfer of realty, described in the deed dated November 17, 1983, of record in Deed Book 211, Page 188, Register's Office for Cocke County, Tennessee as

SITUATE[D] in the Fourth Civil District of Cocke County, Tennessee, and more particularly bounded and described as follows:

ROUNDED on the north, east, west and south by the lands of W. A. O'Neil, deceased, and perhaps others, and also on the east by the lands of W. W. Jones, containing sixteen (16) acres, more or less, and being the homeplace of Jesse O'Neil, deceased.

BEING the same real estate conveyed to Charles Eddie Arms by deed of Edith Fine dated April 5, 1969 and of record in the Register's Office for Cocke County, Tennessee in Deed Book 115, Page 1.

and known as 385 Gardenia Road, Newport, Cocke County, Tennessee 37821, from Defendant Mary Arms, individually, to Defendants Mary and Charles Arms as tenants by the entireties, by a quit

claim deed dated June 16, 2008, and recorded July 14, 2008, of record in Deed Book 1291, Pages 113 - 114, Register's Office for Cocke County, Tennessee ("Quit Claim Deed"), was fraudulent under Tenn. Code Ann. 66-3-305 and -306.

Accordingly, it is **ORDERED, ADJUDGED, and DECREED** that the Quit Claim Deed be cancelled and set aside and declared null and void and of no force and effect; and that whatever title it may have conveyed to Defendants Mary and Charles Arms "so as to create an estate by the entireties in [them]" be divested out of them and reinvested in Defendant Mary Arms individually as of the date and time of the recording of the Quit Claim Deed as if the Quit Claim Deed had never been recorded. This Judgment Order is a final judgment. Costs of this action are taxed to Defendants Mary and Charles Arms, for which execution may issue, if necessary.

APPROVED FOR ENTRY:

s/ Susan K. Lee
SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE

ENTER:

s/ Patricia L. McNutt
PATRICIA L. McNUTT
CLERK OF COURT